AMENDMENTS TO THE CLAIMS

Please cancel Claims 1-4, 12, and 45-60 without prejudice, as indicated below.

Please amend Claims 5, 21-23, 25-28, 30-32, and 34-44.

1-4. (Cancelled)

5. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources, wherein said one or more controllers generate messages to other of said one or more controllers; and

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers.

6. (Previously Presented) The system of Claim 5 further comprising one or more consoles.

7. (Previously Presented) The system of Claim 5 wherein said sensors measure performance characteristics of various components of said multi-tiered client/server application.

8. (Original) The system of Claim 7 wherein said measurements are communicated to said one or more controllers.

9. (Previously Presented) The system of Claim 5 wherein said one or more controllers decide upon a course of action based on measurements of performance characteristics of components of said multi-tiered client/server application.

10. (Original) The system of Claim 9 wherein said one or more controllers apply rules to modify the behavior of said application.

11. (Original) The system of Claim 9 wherein said rules can be built-in or user-defined.

12. (Cancelled)

13. (Original) The system of Claim 6 wherein said one or more controllers send information to said console for output to a user of said application.

14. (Previously Presented) The system of Claim 9 wherein said one or more controllers send messages to said one or more actuators to effect modification of the behavior of said application.

15. (Previously Presented) The system of Claim 7 wherein said one or more sensors are embedded in the application code of said various components of said application.

16. (Original) The system of Claim 7 wherein said one or more sensors utilize software calls to an operating system supporting the execution of said various components of said application.

17. (Previously Presented) The system of Claim 7 wherein said one or more sensors are installed on a network and access said various components of said application as a client.

18. (Original) The system of Claim 7 wherein said one or more sensors measure the response time and availability of various external resources or services required by said various components of said application.

19. (Original) The system of Claim 7 wherein a single component of said application is monitored by a plurality of said sensors.

20. (Original) The system of Claim 18 wherein said sensors utilize existing performance information.

21. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources; and

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers;

wherein said one or more sensors measure performance characteristics of various components of said multi-tiered client/server application and ~~The system of Claim 7~~ wherein said sensors monitor performance characteristics explicitly specified by a user.

22. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application, ~~The system of Claim 5~~ wherein said one or more sensors can be generated and placed by said system;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources; and

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers.

23. (Currently Amended) The system of Claim ~~5~~22 wherein said one or more controllers can modify the behavior of said one or more sensors.

24. (Previously Presented) The system of Claim 23 wherein said one or more controllers can specify the frequency by which said one or more sensors monitor performance characteristics of various components of said application.

25. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources;

and one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers; and

wherein said one or more controllers can modify the behavior of said one or more sensors, wherein said one or more controllers can specify the frequency by which said one or more sensors monitor performance characteristics of various components of said application,~~The system of Claim 23~~ and wherein said one or more controllers can specify the type of said performance characteristics of various components of said application which are to be monitored by said one or more sensors.

26. (Currently Amended) The system of Claim ~~8~~25 wherein said one or more controllers can specify the manner in which said one or more sensors communicate said performance characteristics to said one or more controllers.

27. (Currently Amended) The system of Claim ~~14~~25 wherein said actuators may effect modification of the behavior of discrete components of said application.

28. (Currently Amended) The system of Claim ~~14~~25 wherein said actuators may modify the user interface of said application.

29. (Original) The system of Claim 28 wherein said actuators may restrict the functionality of said application.

30. (Currently Amended) The system of Claim ~~14~~25 wherein said actuators may be embedded in the code of said application.

31. (Currently Amended) The system of Claim ~~14~~25 wherein a plurality of actuators may be utilized to modify the behavior of one or more components of said application.

32. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources;

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers; and

wherein said one or more controllers decide upon a course of action based on measurements of performance characteristics of components of said multi-tiered client/server application, wherein said one or more controllers decide upon a course of action based on measurements of performance characteristics of components of said multi-tiered client/server application, wherein said one or more controllers send messages to said one or more actuators to effect modification of the behavior of said application and ~~The system of Claim 14~~ wherein multiple instances of an actuator may be deployed across replicated instances of external resources or services utilized by said application.

33. (Previously Presented) The system of Claim 32 wherein said external resources or services includes a user interface rendering mechanism.

34. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources;

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers; and

wherein said one or more controllers decide upon a course of action based on measurements of performance characteristics of components of said multi-tiered client/server application, wherein said one or more controllers decide upon a course of action based on measurements of performance characteristics of components of said multi-tiered client/server application, wherein said one or more controllers send messages to said one or more actuators to effect modification of the behavior of said application, and ~~The system of Claim 14~~ wherein a single component of said application may be affected by a plurality of actuators.

35. (Currently Amended) The system of Claim ~~5~~ 34 wherein a single controller is utilized.

36. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources;

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers, and ~~The system of Claim 5~~ wherein a plurality of controllers arranged in a master/slave hierarchy are utilized.

37. (Currently Amended) The system of Claim ~~5~~36 wherein a plurality of controllers arranged in a process group are utilized.

38. (Currently Amended) The system of Claim ~~6~~36 wherein information regarding the performance of said application is displayed on ~~said~~ one or more consoles.

39. (Currently Amended) The system of Claim ~~6~~38 wherein a user of said system can enter specific rules at said console to be applied by said one or more controllers to modify the behavior of said application.

40. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources;

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers; and

one or more consoles ~~The system of Claim 6~~ wherein said one or more consoles may communicate directly with said one or more sensors.

41. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources;

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers; and one or more consoles~~The system of Claim 6~~ wherein said one or more consoles may communicate directly with said one or more actuators.

42. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources;

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers; and

one or more consoles ~~The system of Claim 6~~ wherein said one or more consoles may communicate with said one or more sensors or said one or more actuators through said one or more controllers.

43. (Currently Amended) A system for providing for the graceful degradation of the performance of a computer application comprising:

one or more sensors configured to check the availability and/or performance of resources required by a multi-tiered client/server application;

one or more controllers configured to collect information from said one or more sensors and apply rule-base criteria to said information to determine the performance and/or availability of said resources;

one or more actuators configured to modify the behavior of said multi-tiered client/server application based on information collected by said one or more controllers; and

one or more consoles, ~~The system of Claim 6~~ wherein a user of said system can enable or disable individual ones of said one or more sensors or said one or more actuators.

44. (Currently Amended) The system of Claim ~~6~~43 wherein said console displays messages and alerts generated by said system.

45-60. (Cancelled)